

REMARKS

Claims 1-12 are pending in the application, claims 1-12 stand rejected. Claims 1-5 and 10-12 have been amended. Claims 1-12 are now pending in the case.

The drawings have been objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include reference numeral 32. Applicants have amended the specification to correct the typographical error on page 17. In view of the foregoing, Applicants believe that the Figures now comply with the requirements of 37 CFR 1.84(p)(5).

Claims 2-7 and 11-12 have been rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicants have carefully reviewed the rejected claims and have corrected the noted deficiencies. In view of the above amendments, Applicants believe that the claims now satisfy the statutory requirements of 35 U.S.C. § 112, second paragraph.

Claims 1, 3, 5, 6, 10 and 11 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Glassman (U.S. 4,758,240) Applicants respectfully traverse.

The present invention is directed to a sanitary napkin having, inter alia, at least two longitudinally extending hinges located substantially within the center region adjacent each longitudinal edge between the central longitudinal axis and the first and second longitudinal edges, respectively, each hinge adapted to provide a longitudinally extending preferential bending axis, said hinges being spaced apart along at least a portion of their length, wherein at least one hinge has a radius of curvature and an adjacent hinge is substantially straight(emphasis added).

In contrast, Glassman teaches a menstrual pad or incontinent pad having a multitude of relatively deep spaced apart channels which increase the lateral compressibility of the marginal surfaces of the pad. As shown in the Figures, the channels are not confined to a center region of the pad but instead extend into the transverse end regions of the pad. In

addition, the curved channels as disclosed at column 4, lines 49 to 58 and as illustrated in Figures 2, 5, 7 and 12 terminate at the longitudinal edges of the pad. This is clearly contrary to the express claim limitations that the hinges be adjacent to and between the central longitudinal axis and the longitudinal edges. In view of the foregoing, Applicants respectfully submit that the present claimed invention is not anticipated by the cited reference.

In addition to the foregoing, Applicants respectfully submit that Glassman fails to disclose the expedient of forming hinges as alleged by the Patent Office. To the contrary, Glassman teaches forming grooves or spot depressions that are adapted to provide lateral compression of the pad and do not permit "down-folding of the napkin" (see column 5, lines 28 to 31). Since the grooves provide only lateral compression and do not permit down-folding of the napkin, it is respectfully submitted that the grooves are not hinges as contemplated by Applicants' present claimed invention.

Claims 2, 4, 7, and 12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Glassman. Applicants respectfully traverse.

As acknowledged by the Patent Office, Glassman fails to disclose or suggest a straight hinge being towards the outside of the napkin and the curved hinge being towards the inside of the napkin but nevertheless maintains that it would have been obvious to modify Glassman to provide this orientation of hinges. This position is completely unsupported by the art of record and accordingly the present rejection is improper. As noted above, the grooves in the Glassman patent are not intended to act as hinges but instead provide lateral compression to the pad. Further in this regard, Glassman requires the curved grooves to terminate at the longitudinal sides of the pad. Modifying the orientation of the hinges as suggested by the Patent Office would not permit the curved grooves to terminate at the longitudinal sides and would accordingly negatively affect their ability to provide lateral compression. This would in effect render the invention inoperable for its intended purpose which is of course contrary to established principles of patent law. In view of the foregoing, Applicants respectfully request withdrawal of the present rejection.

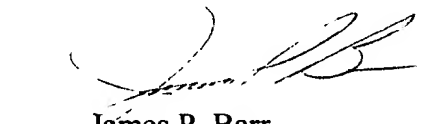
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Claims 8, and 9 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Glassman in view of Coles (U.S. 5,672,642). Applicants respectfully traverse.

As acknowledged by the Patent Office, Glassman fails to teach or suggest the expedient of providing the sanitary napkin with end channels. However, it is the position of the Patent Office that Cole teaches applying wax to the absorbent core of a sanitary napkin and that the wax would inherently have a higher density than the core material thus forming a hinge in the end region of the napkin. Applicants respectfully disagree with this position. For the above reasons of record, Glassman fails to teach or fairly suggest the present claimed invention. In addition, applicants respectfully submit that the application of wax to an absorbent core as taught by Coles would not inherently create hinges as required by the present pending claims. The Patent Office has asserted that wax is denser than core material. Applicants respectfully challenge this assertion and request support by citation of a reference work that clearly indicates that all waxes inherently possess a density greater than core material. In the absence of such evidence, Applicants respectfully request withdrawal of the present rejection.

In view of the foregoing, Applicants respectfully request reconsideration and allowance of the present pending claims.

Respectfully submitted,


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Version with Markings to Show Changes

In the Specification:

Please amend the specification as follows:

On page 17, first full paragraph, please re-write this paragraph as follows:

In a most preferred embodiment of the invention, the densified end channels [32] 31 have at least one perpendicular component that is generally orthogonal to the lateral component and generally parallel to the central longitudinal axis of the absorbent product. Preferably the perpendicular component is closer to the longitudinal edge than it is to the central longitudinal axis. The perpendicular component need not be strictly orthogonal to the lateral component. It may also be at an acute or obtuse angle to the lateral component, and may extend towards the transverse edge and/or towards the longitudinal center line.

In the Claims:

Please amend the following claims:

1. (Amended) A sanitary napkin for use by a woman for feminine hygiene and adapted to be worn in an undergarment, comprising a main body portion having a liquid permeable body faceable cover layer, a liquid impermeable garment faceable barrier layer, an absorbent element therebetween, the main body portion further having first and second longitudinal edges opposite each other defining a width dimension, a central longitudinal axis parallel to the longitudinal edges, first and second transverse edges opposite each other defining a length dimension;

a central region having first and second distal ends opposite each other defining a length that is sufficient to cover the woman's labia majora in use;

a first end region, extending from the first distal end of the central region to the first transverse edge and being adapted to cover at least a portion of the woman's mons pubis in use;

a second end region, extending from the second distal end of the central region to the second transverse edge and being adapted to cover at least a portion of the woman's posterior perineum in use; and

at least two longitudinally extending hinges located substantially within the center region adjacent each longitudinal edge between the central longitudinal axis and the first and second longitudinal edges, respectively, each hinge adapted to provide a longitudinally extending preferential bending axis, said [hinge] hinges being spaced apart along at least a portion of their length, wherein at least one hinge has a radius of curvature and an adjacent hinge is substantially straight.

2. (Amended) The sanitary napkin according to claim 1 wherein [first] the hinge that has a radius of curvature [and] is closer to the central longitudinal [centerline] axis than the [second] hinge that is substantially straight.

3. (Amended) The sanitary napkin according to claim 1 wherein, the [first] hinge that is substantially straight [and] is closer to the central longitudinal [centerline] axis than the [second] hinge that has a radius of curvature.

4. (Amended) The sanitary napkin according to claim 1 wherein the [first hinge is separated from the second hinge along a substantial portion of their respective lengths but] hinges are co-terminous and contact one another at [their] a respective distal [ends] end of each hinge.

5. (Amended) The sanitary napkin according to claim 1 wherein the hinges are formed from [include] a material [in an amount sufficient] adapted to impart additional structural rigidity relative to an adjacent region in the absorbent structure, the material being

selected from the group consisting of a sphagnum-moss containing insert, a densified channel, a strip of polymeric foam, and combinations thereof.

10. (Amended) A sanitary napkin for use by a woman for feminine hygiene and adapted to be worn in an undergarment, comprising a main body portion having a liquid permeable body faceable cover layer, a liquid impermeable garment faceable barrier layer, an absorbent element therebetween, the main body portion further having first and second longitudinal edges opposite each other defining a width dimension, a central longitudinal axis parallel to the longitudinal edges, first and second transverse edges opposite each other defining a length dimension;

a central region having first and second distal ends opposite each other defining a length that is sufficient to cover the woman's labia majora in use;

a first end region, extending from the first distal end of the central region to the first transverse edge and being adapted to cover at least a portion of the woman's mons pubis in use;

a second end region, extending from the second distal end of the central region to the second transverse edge and being adapted to cover at least a portion of the woman's posterior perineum in use; and

at least two longitudinally extending hinges located substantially within the center region adjacent each longitudinal edge between the central longitudinal axis and the first and second longitudinal edges, respectively, each hinge adapted to provide a longitudinally extending preferential bending axis, said hinge being spaced apart along at least a portion of their length, wherein said at least two hinge each have a radius of curvature and wherein one hinge has a radius of curvature greater than an adjacent hinge and wherein the sanitary napkin preferentially bends along the hinge.

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11. (Amended) The sanitary napkin according to claim 10 wherein a first hinge has a greater radius of curvature relative to a second hinge and is closer to the central longitudinal [centerline] axis than the second hinge that has a lower radius of curvature relative to the first hinge.

12. (Amended) The sanitary napkin according to claim 10 wherein the first hinge has a lower radius of curvature and is closer to the central longitudinal [centerline] axis than the second hinge that has a greater radius of curvature relative to the first hinge.